

INDUSTRY CIRCULAR

OFFICE OF THE COMMISSIONER OF INTERNAL REVENUE
ALCOHOL AND TOBACCO TAX DIVISION



WASHINGTON 25, D. C.

Industry Circular No. 62-11

April 12, 1962

REFUND OR CREDIT OF TAX ON BEER REMOVED FROM THE MARKET

To brewers and others concerned:

This circular is issued to remind you of the provisions of section 245.161 of the beer regulations which are quoted, in part, below:

"When a brewer possesses taxpaid beer (or beer on which the tax has been determined), which is removed from the market and which he desires to destroy, in his brewery or elsewhere, or which after return to the brewery he desires to recondition, use as material, or return to the stock of the racking room or bottling house, he shall give written notice of his intention, in triplicate, to the assistant regional commissioner: Provided, That such notice may be submitted directly to an inspector at the brewery."

It has come to our attention that, in at least one instance, taxpaid beer was removed from the market and, before written notice was given to the Assistant Regional Commissioner or to an inspector, the beer was returned to the stock of the racking room or bottling house and again removed on determination of tax. This procedure was contrary to the beer regulations and resulted in an adverse action on the brewer's claim.

In each instance in which refund or credit of tax on beer removed from the market is to be claimed, it is necessary that you give prior notice of the disposition you intend to make (destruction, reconditioning, use as material, return to stock) of such beer. Failure to observe this requirement seriously jeopardizes your claim.

Inquiries regarding this circular should refer to its number and be addressed to your Assistant Regional Commissioner, Alcohol and Tobacco Tax.

Dwight E. Avis
Director, Alcohol and Tobacco Tax Division